

REMARKS

Claims 1 and 2 are pending in the application and stand rejected. In light of the following remarks, Applicant earnestly solicits favorable reconsideration.

Specification

The specification is objected to because the Examiner does not consider the title be descriptive of the claimed invention. Applicant has amended the title to read "Time Synchronized Radio Transmission System."

Claim Rejections - 35 U.S.C. § 112 first paragraph

Claims 1 and 2 stand rejected under 35 U.S.C. § 112 first paragraph as failing to comply with the enablement requirement.

The Examiner contends that the "claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains ... to make and/or use the invention."

The Examiner goes on to state "it is not clear from the specification just how this (synchronizing the time on the receiver with the transmitter) should happen [as] it would seem that it would be impossible for the time stamped at the transmitter to *coincide* with a time at the receiver since it would certainly be a later time, and the specification does not seem to provide support for the transmitter stamping a time in the future." Emphasis added.

To begin, the appropriate standard for enablement is whether a person having ordinary skill in the art could make/use the invention without *undue experimentation*. Emphasis added. *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916).

Regarding one embodiment of the claimed invention, the receiver receives a transmission from the transmitter and stores the transmission in a buffer until the time of the receiver coincides with the time of transmitter (the time of the transmitter being added to the transmitted packet).

Applicant respectfully submits that the claimed invention is enabled under 35 U.S.C. § 112. For example, in the second full paragraph of page 4 it states:

The time information addition circuit 2 adds to each of the TS [transmit stream] packets sent from the coding device 1 the transmitter-side time information representing the time on the side of the transmitter when the head of the TS packet is outputted from the coding device 1.

Regarding the receiver and synchronization, the third full paragraph on page 9 states:

The TS packet stored in the receiving buffer 26 is sent to a decoding device 27 and is decoded when the transmitter-side time information added thereto coincides with receiver-side time information generated from a receiver-side time generation circuit 30....

Additionally, FIG. 3 shows an example of a transmission sequence for a transmission side and during the same time, shows a receiving sequence for a receiving side. Applicant notes that while the transmit side time starts at 1, the receiver side time starts at -2. Thus, this is one way in which the times on each the sides could coincide. As such, Applicant respectfully submits that that the present claims are currently enabled by the disclosure.

Claim Rejections - 35 U.S.C. § 112 second paragraph

Claims 1 and 2 stand rejected under 35 U.S.C. § 112 second paragraph as failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Similar to that discussed above, the Examiner contends that the claimed invention seems impossible as the time the packets are output of the buffer at the receiver could not coincide with the time the packets are transmitted at the transmitter.

Claims 1 and 2 require a circuit for adding time information to the packet of when the packet is outputted from the coding device (on the transmitter side). A receiver then synchronizes the time of the receiver with the time of the transmitter on the basis of receiving intervals of the packets transmitted. See also FIG. 3.

Thus, the synchronization required by claims 1 and 2 relate to “predetermined time intervals” at which the packets are transmitted. Note that the time intervals of the transmitter and receiver, as shown in FIG. 3, are the same.

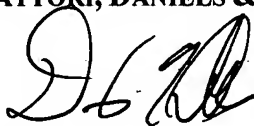
Furthermore, the last paragraph of claims 1 and 2 require outputting the packet to the decoding device when the time on the side of the receiver coincides with the time on the side of the transmitter. As shown in FIG. 3, the time on the side of the receiver starts at -2.0 while the time on the side of the transmitter starts at 1.0. As such, it would be possible for the time on the side of the receiver to coincide with the time on the side of the transmitter. In other words, the time on the sides of the transmitter and receiver do not have to be exactly the same.

In view of the aforementioned remarks, Applicant submits that the claims are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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